

# STATES OF JERSEY



Jersey

## **DRAFT EMPLOYMENT AND DISCRIMINATION TRIBUNAL (JERSEY) AMENDMENT REGULATIONS 202-**

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**Lodged au Greffe on 22nd October 2024  
by the Minister for Social Security  
Earliest date for debate: 10th December 2024**

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**STATES GREFFE**

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## REPORT

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### Introduction

Regulation 7 of the [Employment and Discrimination Tribunal \(Jersey\) Regulations 2014](#) (“the Regulations”) deals with the remuneration of members of the Tribunal. Daily sitting rates are currently set out in the body of the Regulations (Regulation 7(1)(a) – (c)). Regulation 7 also provides that the Minister for Social Security may, by Order, prescribe different rates from those set out in Regulation 7 (Regulation 7(3)).

There is no power within the Regulations to amend the rates shown in Regulation 7(1). The effect of this is that the Regulations display misleading daily sitting rates, as the Minister has made an Order as prescribed in Regulation 7(3) to set new, increased daily rates. It is this anomaly that the Minister is seeking to address through this amendment.

### Effect of the new amendment on Regulation 7

The proposed amendment amends Regulation 7 in its entirety. It removes the prescription of specific daily rates from the body of Regulation 7 and replaces it with a power for the Minister to determine new rates and reasonable expenses by Order. In this way, the Minister’s current ability to prescribe new rates by Order is preserved. The amendment prevents out of date daily rates, shown in Regulation 7, conflicting with daily rates set out in the Ministerial Order, and the risk of confusion is removed.

### Financial and staffing implications

There are no financial or staffing implications arising from this proposition.

### Children’s Rights Impact Assessment

A Children’s Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.

## **EXPLANATORY NOTE**

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These Regulations, if passed, will substitute a new Article 7 of the Employment and Discrimination Tribunal (Jersey) Regulations 2014. The effect of the change is to remove the rates of remuneration for members of the Jersey Employment and Discrimination Tribunal. The power for the Minister for Social Security to determine the rates by Order is preserved but the removal of the rates from the Regulations (which there is currently no power to amend in the Regulations themselves) will prevent out of date rates conflicting with the rates set out in the Order.



Jersey

# DRAFT EMPLOYMENT AND DISCRIMINATION TRIBUNAL (JERSEY) AMENDMENT REGULATIONS 202-

*Made* [date to be inserted]

*Coming into force* [date to be inserted]

**THE STATES** make these Regulations under Article 82 of the [Employment \(Jersey\) Law 2003](#) –

## 1 [Employment and Discrimination Tribunal \(Jersey\) Regulations 2014](#) amended

For Regulation 7 (remuneration of members) of the [Employment and Discrimination Tribunal \(Jersey\) Regulations 2014](#) there is substituted –

### **“7 Remuneration and expenses of members**

The members of the Tribunal are entitled to –

- (a) remuneration as determined by the Minister by Order; and
- (b) reimbursement of reasonable expenses as determined by the Minister.”.

## 2 **Citation and commencement**

These Regulations may be cited as the Employment and Discrimination Tribunal (Jersey) Amendment Regulations 202- and come into force 7 days after they are made.